

# ***DRAFT PROPOSED NEW ZONING ORDINANCE***

## ***Private Property***

### **28.32.260 Mobile Food Vendors**

- A. Purpose.** The City recognizes that mobile food vendors can be a benefit to the community by providing economic development, convenient service, and varied dining options in commercial areas. The purpose of this section is to establish the standards, locations, and permitting requirements that will allow mobile food vendors to operate on private property within the City, as well as preserve the peace, safety and welfare of the community.
- B. Standards.** Mobile food vendors on private property shall be located and operated in compliance with the following standards.
1. **Use and Zone.** Mobile food vendors may only operate in non-residential zones, on lots developed with non-residential uses.
  2. **Number.** Shall not exceed one truck per day per parking lot.
  3. **Duration.** Maximum three (3) hours per day per parking lot. No lot may have a mobile food vendor onsite for more than 90 days total in any 12-month period.
  4. **Distance.** No mobile food vendor on private property shall operate closer than a 500 foot radius from another mobile food vendor operating on private property. For the purpose of this section, distance shall be measured from location to location along the shortest possible straight line distance, regardless of any customary or common route or path of travel, i.e., “as the crow flies”.
  5. **Setback.** Mobile food vehicles shall maintain a minimum 10-foot front setback from any right-of-way, for site visibility.
  6. **Required Parking.** No parking spaces are required for a mobile food vendor that meets all of the standards under this section.
  7. **Displaced Parking.** Unless otherwise allowed in this chapter, mobile food vendors may not eliminate any parking spaces required for any existing uses on the same lot. Required parking spaces for an existing non-residential use may be displaced if the existing non-residential use is not open during the event. See SBMC 28.32.350, Temporary Use Permit, for additional displaced parking allowances.
  8. **Location.** Mobile food vehicles used by vendors shall not be permitted as a permanent or proprietary location on any property within the City. Vehicles shall not be left unattended at any time, or be left on-site when inactive or stored overnight. Mobile food vendors may not operate on a vacant lot.
  9. **Obstructions.** Location and operation including customers, seating, and equipment, shall not obstruct the right-of-way, sight distances, or otherwise create hazards for vehicle or pedestrian traffic. The location shall comply with applicable accessibility requirements and the Americans With Disabilities Act.

10. **Allowed Products.** Operations are limited to the sales of food and beverages for immediate consumption.
  11. **Allowed Vehicles.** Operations shall only be conducted from a motor vehicle, or vehicle with a trailer consistent with State law and County Health Department approvals. Other types of food vending from a temporary structure such as a push cart, stand-alone trailer, or kiosk are not allowed under this ordinance.
  12. **Nuisance.** Mobile Food Vendors shall be responsible for keeping the area clean of any litter or debris and shall provide a visible trash receptacle for use by customers. No vendor shall ring bells, play chimes, play an amplified musical system, or make any other notice to attract attention to its business while on private property. The use of prohibited or unpermitted signs for mobile food vendors is not allowed.
- C. Zoning Affidavit Required.** A Zoning Affidavit, showing evidence of property owner approval and compliance with all standards listed in this section, is required to be submitted to the Community Development Department for all mobile food vendors operating in the City.
- D. Temporary Use Permit.** A mobile food vendor that does not comply with all standards listed in this section will require a Temporary Use Permit to operate.